

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

Crl.MC.No. 2198 of 2007()

CRMP.4600/2007 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI
CRIME NO.335/2007 OF THOPPUMPADY POLICE STATION
.....

PETITIONER: ACCUSED NO.1:

ANJALY, W/O. SANKAR,
AGED 28 YEARS, PILLAYANTHERUVU, H.NO.21,
THATHAMANGALAM, PALAKKAD.

BY ADV. SRI.M.J.SANTHOSH

RESPONDENTS: COMPLAINANT:

THE STATE OF KERALA,
REPRESENTED BY THE S.I. OF POLICE,
THOPPUMPADY POLICE STATION (CRIME NO.335/2007)
THROUGH THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION
ON 13/07/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J.

Crl.M.C.No.2198 of 2007

Dated this the 13th day of July 2007

O R D E R

The petitioner who faces allegations under Section 379 I.P.C - of having snatched a gold chain worn by a woman while they were both travelling in a bus has been directed to be released on bail subject to conditions. The conditions presently in force are:

- i) The petitioner must execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties.
- ii) That she must make cash deposit of Rs.25,000/- (Rupees twenty five thousand only) or produce solvency certificate by one of the sureties and
- iii) That she shall appear before the investigating officer on all Mondays, Wednesdays and Fridays at 10.30 p.m until the final report is filed.

2. Initially, the condition imposed was that she must execute a bond for Rs.1,00,000/- with two solvent sureties. That condition was modified by the learned Sessions Judge and the petitioner was directed to execute a bond for Rs.25,000/- with two sureties. The petitioner continues in custody from 02/07/2007. She has not been able to get sureties or make cash deposit to secure her release. In these circumstances, she has come before this court with the prayer that the said conditions may be altered.

3. The application is stoutly opposed by the learned Public Prosecutor. He submits that the police have a feeling that the petitioner has not divulged all correct details about herself before the police. In these circumstances, proper and strict conditions must be insisted before the petitioner is directed to be released on bail. Having considered all the relevant inputs including the nature of the crime, I am satisfied that the petitioner is not entitled to any further relaxation of the conditions imposed.

4. This petition is, in these circumstances, dismissed. In the circumstances of the case, I think it will only be appropriate to direct the investigating officer to complete the investigation as expeditiously, as possible, at any rate, within a period of one month from this date. The learned Magistrate shall also take all necessary steps to dispose of the case against the petitioner, as expeditiously as possible.

(R.BASANT, JUDGE)

jsr

// True Copy//

PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007